

**Applicant:** F-Five Resources LLC

**Agent:** R2 Consulting Services

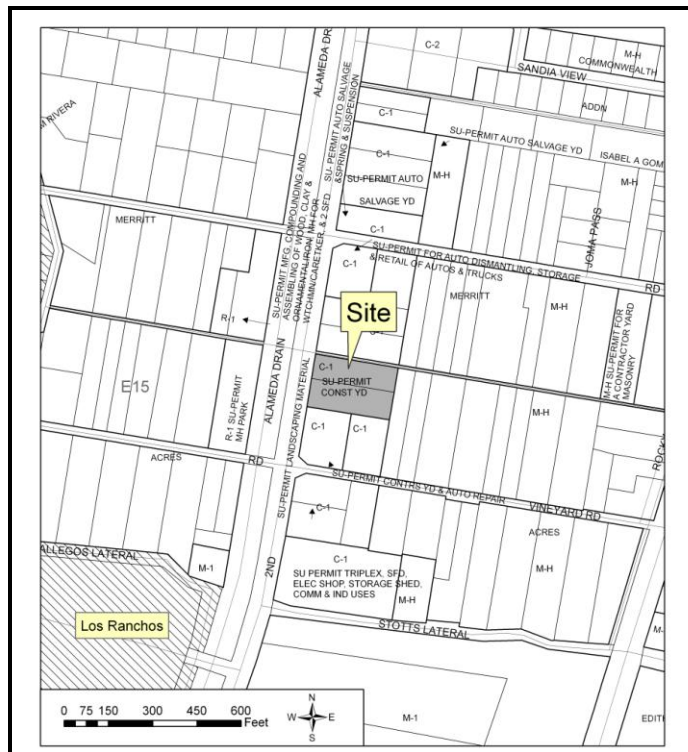
**Location:** 6320 & 6328 Second St., NW

**Property Size:** 1.18 acres (approximately)

**Existing Zone:** C-1 with Special Use Permit for Construction Yard

**Proposed Zoning/SUP** Special Use Permit for Contractor's Yard

**Recommendation:** Approval



**Summary:** This is a request for a Special Use Permit for a Contractor's Yard on a 1.18 acre property located on the east side of Second St., south of Osuna Rd. This property has had a Special Use Permit for a Construction Yard since the 1990s (CSU-90-14), but the property was recently cited for non-compliance with the approved Special Use Permit, including the addition of fuel pumps and a storage structure on the site. This request was deferred at the February 3, 2010 hearing at the applicant's agent's request. The agent has submitted a revised site plan.

**Staff Planner:** Catherine VerEecke, Program Planner

**Attachments:**

1. Application
2. Zoning and Land Use Maps
3. Existing Special Use Permit, Notices of Decision
4. Notices of violation of Special Use Permit
5. Letter of support, Merritt Acres Neighborhood Association
6. Revised justification
7. Site Plan dated 3/22/10 (Commissioners only)

Bernalillo County Departments and other agencies reviewed this application from 12-15-09 to 1-11-10 and from 3-23-10 to 4-12-10. Their comments were used in preparation of this report, and begin on Page 10.

**AGENDA ITEM NO.: 5**  
**County Planning Commission**  
**May 5, 2010**

CSU-201000005 R2 Consulting Services, agent for F-Five Resources LLC, requests approval of a Special Use Permit for a Contractor's Yard on Lots C & D, Merritt Acres, located at 6320 & 6328 2<sup>nd</sup> Street NW, zoned C-1 with a Special Use Permit for a Construction Yard, and containing approximately 1.18 acres. (E-15). (DEFERRED AT THE FEBRUARY 3, 2010 HEARING)

**AREA CHARACTERISTICS AND ZONING HISTORY**  
**Surrounding Zoning & Land Uses**

<b>Site</b>	<b>Zoning</b>	<b>Land use</b>
	C-1 with Special Use for a Construction Yard	Contractor's Yard
<b>North</b>	C-1	Single family residential
<b>South</b>	M-H/C-1 with Special Use for a Contractor's Yard and Auto Repair	Contractor's yard
<b>East</b>	M-H	Single Family Residential
<b>West</b>	R-1/Special Use Permit for Mobile Home Park	Drain Mobile Homes

**BACKGROUND:**

**The Request**

The applicant is requesting a Special Use Permit for a Contractor's Yard on a 1.18 acre property located on the east side of Second St. to the south of Osuna Rd. between Willow Rd. and Vineyard Rd. and to the immediate south of the Merritt Wasteway.

The property consists of two parcels with C-1 zoning with a Special Use Permit for a Construction Yard (CSU-90-14). According to the site plan, it includes a 3415 square foot office, a 5700 square foot shop and a 1078 square foot storage structure, in addition to areas for equipment and materials storage and parking.

This property has had a contractor's yard on it since the 1980s (CSU-90-41). On November 27, 1990, the Board of County Commissioners approved a Special Use Permit for a Construction Yard for the site for the life of the use with eight conditions (Attachment 3). It was granted for the life of the use.

In November 2006, potential buyers of the property requested a Special Use Permit for a Retail Store Business and Shop (door manufacturing) for the property which was then for sale. After the CPC recommended approval of the Special Use Permit, the request was withdrawn by potential buyers of the property (CSU-60041).

The property is currently owned by an Arizona-based company, F-Five Resources LLC/Progressive Roofing, which acquired the property approximately two years ago. The current owners of the property recently received a notice of non-compliance with the Special Use Permit (Attachment 4), particularly a condition that states that flammable materials shall not be stored on the site (Attachment 3). In addition, a storage building is currently located on the site but is not shown on the approved site plan.

Under the current request, the applicant will continue to operate the roofing contractor's yard, including the storage of fuel on the site. The new site plan now includes the storage building (not shown on the previous site plan) and proposes additional landscaping and fencing in an effort to comply with the Zoning Ordinance. However, the agent is requesting waivers for the front landscape setback due the existing features of the site (paving, parking) where the property fronts Second St.

Request justification. In the response to Resolution 116-86, the applicant's agent states that the existing C-1 zoning is not appropriate for the site and changed neighborhood conditions have occurred. The property has been used as a contractor's yard since 1990, and there are similar heavy commercial and light industrial uses (e.g., contractor's yards) nearby the site. The agent states the request is not in significant conflict with the North Valley Area Plan which recognizes the existence of heavy commercial, industrial and housing in areas of the North Valley along Second St.

**Surrounding Land Uses and Zoning**

The subject property is located about one-half mile south of Osuna Rd. on the east side of Second St. Although the property is located nearby an established residential subdivision (Merritt Acres), the general vicinity has a mixture of uses. The property to the immediate east

has a single family residence on it with residential uses, and generally the area to the east is primarily residential.

A majority of the properties fronting on the east side of Second St. have C-1 zoning, though they appear not to be used for retail but rather heavy commercial and light industrial uses. The property to the south has a Special Use Permit for a Contractor's Yard and Auto Repair Shop (CSU-71-81). The property to the north is zoned C-1 but has a structure on it that appears to be a single family residence.

Several other properties near the site on Second St. have Special Use Permits for more intense uses than allowed by the existing C-1 zoning. In 1996, a Special Use Permit for an Auto Dismantling Yard was granted to the north of the property, which was renewed in 2005 (CSU 96-14, CSU-40006). Also to the north of that site, other Special Use Permits have been granted for several other Auto Dismantling Yards (CSU 70-9; CSU 92-31, CZ 82-39). Further south, properties have C-1 zoning for such uses as landscape contractor's yard and storage sheds for commercial and industrial uses (CSU-98-2, CSU-80022).

To the west of the site across Second St. and the Alameda Drain, most properties have R-1 zoning with residential uses. However, one property currently has a Special Use Permit for Specific Use for Manufacturing, Compounding, and Assembling of Wood, Clay, and Ornamental Iron (CSU-90005). (Previously, the property had a Special Use Permit for an Auto Repair Shop.) To the south of that site, another property has a Special Use Permit for a Mobile Home Park (CSU-70-108).

#### **APPLICABLE PLANS AND POLICIES:**

##### **Albuquerque/Bernalillo County Comprehensive Plan**

The site is located in the Semi-Urban Area as delineated in the Albuquerque/Bernalillo Comprehensive Plan. The principal goal for this area is to "maintain the character and identity of semi-urban areas which have environmental, social or cultural conditions limiting urban land uses."

##### **North Valley Area Plan**

This property is located within the Semi-Urban area of the North Valley Area Plan. The plan states that properties in this area may have special soil and water limitations or scenic, agricultural, or recreational assets, with the appropriate gross density at 1 to 3 dwelling units per acre.

Policy 4.4 (Community Design) of the Plan states that the County and City shall encourage rural standards for development, especially within the Semi-Urban and Rural Comprehensive Plan areas of the North Valley.

Policy 2.2 (Land Use) states 'The City and County shall stabilize residential zoning and land use in the North Valley Area.' This may be accomplished through the following:

- a. Limit the location, duration, and type of new uses allowed by Special Use Permit.
- b. Cancel discontinued Special Use Permits granted where existing conditions of approval are not met and permits that are otherwise in violation of the Zoning Ordinance.

- c. Retain existing County A-1 zoning as the only Rural Agricultural zone intended to provide agricultural activities and spacious development.
- d. Require landscape buffering and other measures necessary to limit potential impacts of non-residential uses on residential areas.
- e. Retain the low density character of the North Valley.

Policy 2.3 states “the City and County shall limit new strip commercial development and associated signage on valley arterials.

- a. Retain existing residential zoning on Alameda Blvd., Second St., Montano Rd., and on future roadway corridors.
- b. Undertake Rank Three planning to create design overly zoning along Alameda Blvd., Second St., Montano Rd.
- c. Promote commercial development and redevelopment of existing commercially zoned properties.”

The property is also located in an area the Plan refers to as the “Second Street to Fourth Street Sub-Area” of the Plan, which extends from Fourth Street in the west to the railroad in the east, and north from Montano Rd. to Paseo del Norte. The plan notes that the area along the east side of Second St. between Montano Rd. and Osuna Rd. includes a number of heavy commercial and industrial uses which are adjacent to residential subdivisions.

The Plan states that the “the existing zoning pattern should guide land uses” (Appendix, p.17).

### **Bernalillo County Zoning Ordinance**

Resolution 116-86 lists policies for evaluating a Zone Map changes and Special Use Permit applications.

- A. A proposed land use change must be found to be consistent with the health, safety, and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan of other Master Plans and amendments thereto including privately developed area plans which have been adopted by the County.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
  - 1. There was an error in the original zone map.
  - 2. Changed neighborhood or community conditions justify a change in land use or

3. A different use category is more advantageous to the community as articulated in the Comprehensive Plan or other County Master Plan, even though (1) and (2) above do not apply.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. A proposed land use change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the County may be:
1. denied due to lack of capital funds; or
  2. granted with the implicit understanding that the County is not bound to provide the capital improvements on any special schedule.
- H. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- I. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted land use plan; or
  2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- J. A zone change request which would give a zone different from the surrounding zoning to a strip of land along a street is generally called a "strip zoning." Such a change of zone may be approved only when:
1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones; because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone due to traffic or special adverse uses nearby.

#### **ANALYSIS:**

##### **Surrounding Land Use and Zoning**

The subject property, which has C-1 zoning, has had a Special Use Permit for a Construction Yard has operated since the 1990s, with no recorded violations on the property until recently when the property was cited for non-compliance of a condition of the Special Use Permit. The proposed use (roofing contractor) appears to be compatible with the commercial and light

industrial uses nearby the property along this portion of Second St., which were established in over the last thirty years under C-1 zoning or Special Use Permits.

The proposed use is similar to that of the previously-existing contractor's yard on the site which utilized the two existing buildings for an office and shop and open areas of the site for equipment and material storage. Under this request, outdoor storage will be limited to areas near the shop building and the rear of the site which is enclosed by a solid wall or fence. There are, however, residential developments to the immediate east of the property, which could be negatively impacted by the development, without the proper buffering.

### **Plans**

This property is located in the Semi-Urban Area. The Comprehensive Plan and the North Valley Area Plan suggest that this Area should retain its semi-rural, residential character and should not allow new permanent zone changes or special use permits for industrial or heavy commercial uses. However, the North Valley Area Plan does state that existing commercially-zoned properties may be developed or redeveloped with commercial uses and recognizes that this portion of Second St. already has a number of heavy commercial and light industrial uses within it. This Special Use will also allow for the location of an established, small-scale business within the unincorporated area of Bernalillo County.

### **Zoning Ordinance**

It appears that this request is consistent with Resolution 116-86 of the Zoning Ordinance in that the particular use would be consistent with the previous uses on the site and with other uses in the area. It appears that 'changed neighborhood conditions' can be used as a justification for this request as there has been a trend towards C-1 zoning with Special Use Permits in the immediate vicinity of the site. The request is also consistent with the North Valley Area Plan policies that support the redevelopment of existing commercially-zoned properties.

### **Agency Comments**

County staff and representatives from other agencies have provided comments on this case. Several departments have no adverse comments for the development. However, there are a few issues with the current submittal that need to be addressed before the request can be approved.

Public Works comments suggest the need for more work on the request before Special Use Permit approval. The drainage engineer is requiring a conceptual grading and drainage plan for the proposed use. The development review engineer indicates the need for a traffic scoping study and approval of the access from NMDOT. In addition, parking spaces are too close to Second St. to allow for exiting the site without backing out onto Second St. NMDOT has commented that the driveways shown on Second St. are not acceptable.

Environmental Health staff notes that development on the site shall meet applicable COA Air Quality Division standards, and an existing septic tank on the site must be abandoned.

County Zoning staff comments indicate that the development must follow current landscape and fencing requirements. This would include a front landscape setback and a landscape

buffer and solid fencing/wall along the east property line. Parking areas within the site must be paved in accordance with Section 21 of the Zoning Ordinance.

### **Conclusion**

In conclusion, it appears that the requested Special Use Permit for a Contractor's Yard is appropriate for the subject site. The contractor's yard uses on the site, which date back to the 1980s, appear not to have negatively impacted the area and have been consistent with the nearby commercial and light industrial uses along Second St. Conditions of approval will also help minimize the impacts of the use on the nearby residential properties. However, there are several issues that must be addressed prior to the approval of the request, including the need for required landscaping, a conceptual grading and drainage plan, and an approved access. In addition, the location of parking spaces on the site and the request for waiver of paving must be clarified.

### **ADDITIONAL STAFF COMMENTS, MAY 5, 2010**

This request was deferred at the February 3, 2010 CPC hearing at the applicant's agent's request in order to add a covered storage structure in the southeast corner and also to address the comments of staff. The comments (mainly from Public Works) requested a preliminary grading and drainage plan and noted the need for approval of ingress and egress along Second St. and that parking located in the westerly portion of the site is too close to Second St. and must be re-located.

The agent has revised the site plan in an effort to address staffs' comments. This includes moving some of the parking located near Second St. to a different location (near the shop) and revising the parking calculations to reflect the reconfiguration of the parking on the site. The applicant has added on the revised site plan an additional area of covered storage (821 square feet) in the southeast corner of the property. The agent has also submitted a conceptual grading and drainage plan, which has since been approved by Public Works.

Comments of staff for the current submittal indicate that a majority of the previous comments have been addressed (e.g., grading and drainage plan). Additional comments from Environmental Health staff indicate that there appears to be a septic system on the property that must be properly abandoned. Comments from Public Works (Development Review Engineer) state that the parking spaces next to the office adjacent to Second St. still need to be removed or relocated and that a traffic scoping study must be provided. Comments from the New Mexico Department of Transportation states that the proposed access (three driveways) is not acceptable. A driveway permit for access to the State Highway will be required.

The Zoning Administrator's comments request changes and clarifications for the revised site plan. These include clarification of the use (and associated parking) next to the office labeled as 'Training Area.' The comments also state that the site plan must provide sufficient landscaping along the east property line and along Second St. (width and quantity). The site must also have adequate parking (quantity, dimensions, handicap space, striping and signage) along with paving to satisfy Zoning Ordinance requirements (a portion of the parking spaces are shown with gravel). Information on signage on the site needs to be provided.



The County Building Inspector has added a comment that structures on the site (e.g., storage shed) appear to have recently been built without permits. The new and existing storage structures must have permits.

### Conclusion

The subject property has had a contractor's yard on it for 20 years under a Special Use Permit, and its use has been consistent with nearby non-residential uses along Second St. The ownership of the property has recently changed with additions to the site that have necessitated changes to the approved site plan (fuel pumps, storage areas, landscaping, parking, grading and drainage plan) under a new Special Use Permit. The requested Special Use Permit is appropriate for the property within the area it is located, which has changed over the last twenty years in the direction of light industrial uses. There also is neighborhood support for this request, although it is not required (Attachment 5).

Staffs' comments indicate that the property must be brought up to current departmental standards in such areas as landscaping, paving, access, and parking. It appears that these requirements could be addressed as conditions of approval, although there are deficiencies within the current site plan, including paving and landscaping. The unpermitted existing storage structure also does not meet the required 30 foot rear setback.

### Analysis Summary (5/5/10)

Zoning	
Resolution 116-86	Changed neighborhood conditions have taken place and use is consistent with other nearby uses along Second St.
Requirements	Must comply with code requirements for landscaping, parking, paving, fencing.
Plans	
Comprehensive Plan	Use is consistent with policies regarding re-development of commercial properties
Area Plan	Use is consistent with North Valley Area Plan policies regarding re-development of commercial properties
Other Requirements	
Environmental Health	Provide evidence of addressing COA Air Quality Division, remove septic tank on site.
Public Works	Provide Traffic Scoping Study, final grading and drainage plan, access/NMDOT approval.
Zoning	Provide required landscaping, fencing and surfacing for parking areas. Provide information on signage. Clarify the "Training Area" use next to the office on the property.
Other (Building)	Obtain permits for storage sheds.

**RECOMMENDATION:**

Approval of CSU-20100005 with the following Findings and Conditions:

Catherine VerEecke  
Program Planner

**FINDINGS:**

1. This request is for approval of a Special Use Permit for a Contractor's Yard on Lots C & D, Merritt Acres, located at 6320 & 6328 2<sup>nd</sup> Street NW, zoned C-1 with a Special Use Permit for a Construction Yard, and containing approximately 1.18 acres.
2. The property is located in the Semi-Urban Area of the Albuquerque/Bernalillo County Comprehensive Plan and the North Valley Area Plan.
3. This property has a Special Use Permit for a Construction Yard (CSU-90-41). The granting of this Special Use Permit (CSU-20100005) supercedes the previous permit (CSU-90-41).
4. This request is consistent with Resolution 116-86 in that the proposed land use is more advantageous to the community in that the North Valley Area Plan Policy 2.3.c states that "the City and County shall promote commercial development and redevelopment of existing commercially-zoned properties".
5. The request is consistent with Resolution 116-86 in that there have been changed neighborhood conditions in the vicinity of the site along Second St., including the establishment of light industrial and heavy commercial uses.
6. This request is consistent with the health, safety, and general welfare of the residents of the County.

**CONDITIONS:**

1. The applicant shall obtain building permits for the existing and proposed storage buildings on the property within three months of the final Board of County Commissioners' approval.
2. Lighting shall be site specific. Shielded or cutoff lighting fixtures shall be provided so that no fugitive light crosses into adjacent lots.
3. There shall be a six-foot high solid fence or wall along the property line (east) abutting residential uses.
4. There shall be a 15 foot wide landscaped front yard along Second St. and a 6 foot wide landscaped buffer to comply with Section 18 (Landscaping and buffer landscaping regulations) between the existing business and the adjacent residential properties, to be established within nine months of the final Board of County Commissioner's approval.
5. The applicant shall provide, within three months of the final Board of County Commissioner's approval, evidence of abandonment of septic tanks on the site to the Bernalillo County Office of Environmental Health and to the Zoning, Building, and Planning Department.
6. A driveway permit for the access on Second St. shall be obtained from the New Mexico Department of Transportation within two months of the final Board of County Commissioners' approval. A copy of the permit shall be provided to the Public Works Division and the Zoning, Building, and Environmental Health Planning Department.
7. A final grading and drainage plan shall be submitted for review and approval to Bernalillo County Public Works Division within 90 days of the final Board of County Commissioner's approval. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
8. A traffic scoping study shall be submitted for review and approval to Bernalillo County Public Works Division within 90 days of the final Board of County Commissioner's approval. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
9. Parking on the site shall comply with Section 21 of the Zoning Ordinance (Off-Street Parking, Loading and Unloading Regulations) including the number and of parking spaces and surfacing of parking areas. All off-street parking areas (vehicles, trucks) on the property shall be surfaced in accordance with Section 21.d.2 of the Zoning Ordinance. ADA parking spaces shall be appropriately marked to indicate the location of the space and paved with hard surface.
10. The Special Use Permit shall be issued for twenty years.
11. A revised site development plan consistent with the Conditions of Approval shall be submitted for review and approval to the Zoning Administrator within two months after the

final Board of County Commissioners' approval. The revised site plan shall show all existing and proposed signage, landscaping, required parking and surfacing, and walls/fences on the site.

12. The foregoing conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

## **BERNALILLO COUNTY DEPARTMENT COMMENTS**

### **Building Department:**

THIS ADDRESS APPEARS TO HAVE NEW STUCTURES BUILT WITHOUT OBTAINING THE REQUIRED PERMITS.

### **Environmental Health:**

1. This property is connected to water and sewer; ACCNT 3393189560
2. Their is an old septic tank permit for this site and the septic tank must be abandoned. Apply for a tank abandonment with the Office of EH.
3. Indoor and outdoor air quality standards shall meet applicable COA Air Quality Div., standards for air borne pariculates

### For 5/5/10

1. Property is served by active ABCWUA water and sewer account: #3393189560.
2. Existing wastewater permit on property, HSTL 83020, without record of abandonment. All abandoned septic systems must be decommissioned in accordance with BC Wastewater Ordinance 2006-1.

### **Zoning Administrator**

#### **ZA COMMENTS**

25/MAR/2010

Proposed SUP for a Contractor's Yard and Office

#### **USE**

The proposal seeks to authorize the keeping of "flammable material" - in connection with a contracting operation - as previously prohibited under conditions of the old Special Use Permit. Additionally, the use of a "training area" is proposed to be located between the office and shop buildings on the site. Further details concerning this portion of the proposal are necessary, as "training facilities" are typically classified as a "school" in the zoning ordinance, and affect parking standards.

#### **LANDSCAPING**

Based on the combined area of the subject premises (1.17 acres), a landscape setback of at least 15 feet in depth is required along the west side of the property adjacent to 2nd Street. A landscaped setback of at least 6 feet in depth is required along the east side of the property. All provided landscaping is required to consist of a variety of trees, shrubs, and vegetation to create a visually opaque buffer.

The zoning ordinance also requires that a landscaping plan outlining all proposed areas to be covered with impervious materials, proposed planting beds and vegetative ground cover areas be provided. The plan must indicate the location, size, and species of all existing and proposed trees, shrubs, vegetation and ground cover. Trees must be at

least one-and-one-half inches in caliper measured at two feet above grade. One tree is required for each 30 feet of frontage. Shrubs must be at least 5 gallon minimum. A minimum of 75 percent of the landscape buffer areas must be maintained with live planting materials. Additionally, a solid wall/fence at least 6 feet in height is required along the east side of the property abutting the M-H zoned parcel.

#### OFF-STREET PARKING

Section 21.A.5. of the ordinance requires that at least 18 off-street parking spaces be provided for the 3,415 sq. ft. office building (one space for each 200 square feet of floor area). At least one of these spaces must be devoted to parking for disabled individuals. The "shop" and "covered storage" buildings do not have a specified number of off-street spaces required, but county policy has been to classify these types of uses as "industrial establishments" (ref. Sec. 21.A.8.), requiring two (2) parking spaces for each (3) employees working on the maximum shift, plus sufficient space to accommodate delivery trucks needing to access these buildings.

All standard parking spaces are required to be at least 8 1/2 feet wide by 20 feet in depth; spaces for use by disabled individuals can be 8 feet by 20 feet, but each handicapped space must be adjacent to an access aisle of at least 3 feet wide providing unobstructed access to the building or facilities entrance.

All off-street parking areas must be surfaced with concrete or a bituminous material (asphalt). Gravel parking areas are not acceptable. All off-street parking spaces are required to be appropriately marked (striped) to indicate the location of each space.

Each off-street parking space designated to be used by disabled individuals is required to provide its own conspicuously posted upright sign, either free-standing or wall mounted, showing the international disabled symbol of a wheelchair. Each sign shall be no smaller than 12 by 18 inches. Each sign shall have its lower edge no less than four feet above grade. Barriers are required to prevent free-standing signs from being hit by motor vehicles.

#### Zoning Enforcement Manager:

Based on the above comments there is no adverse comments at this time.  
no zoning violations.

#### Fire:

No comments received.

#### Public Works:

#### DRAN:

A conceptual Grading & Drainage Plan prepared by a New Mexico registered engineer is required prior to approval of this special use request. A final G&D will be required within 60 days following approval. The G&D must provide for passive harvesting of rainwater for landscape buffer areas.

For 5/5/10

A conceptual G&D, PWDN 20100015, has been received and is acceptable for this application.

DRE:

2nd Street is NMDOT's ROW.

The parking spaces located at front of 3415 S.F. Office Building (on South Lot) are too close to 2nd Street, and therefore must be removed. People would have to back out onto 2nd Street in order to leave the site. The parking spaces on the North Lot and the proposed Handicapped Parking Spot located on the north side of the building can stay, due to they are far back enough from the entrances to not cause a problem.

TIA Scoping Report Is Required prior to Approval.

Site Plan appears to have ample turnaround space for Fire and Emergency Services. (Approximately 96feet x 189feet on adjacent lot.)

For 5/5/10

Conditions of Approval:

Traffic Scoping Report be submitted within 60 days of approval.

Parking Spaces on 2nd Street required to be removed to eliminate backing out onto 2nd Street.

Parks & Recreation:

The 2030 Metropolitan Transportation Plan Long Range Bikeway System Map designates proposed bike lanes and a proposed paved, multi-use path within the 2nd St. right-of-way.

Sheriff's:

No comment received

## **COMMENTS FROM OTHER AGENCIES**

MRCOG:

MPO Project 851.0 "2nd St Bike lanes & Trail" is a City of Albq-DMD Project to build bike lanes and trails from Matthew Ave to Osuna Rd. Please contact City of Albq-DMD at (505) 291-6220 for additional information.

2nd St is designated as an ITS Corridor in the AMPA Regional ITS Architecture and ITS Corridor Map. Please contact Public Works at 848-1575 for implementation timelines and details.

The functional classification of 2nd St is that of urban principal arterial.

AMAFCA:

No comment.

City Planning Department:

Reviewed, no comment.

City Public Works:

Transportation Planning: No comments received.

Transportation Development: NO ADVERSE COMMENTS.

Water Resources: No comments received.

City Transit:

No comments.

City Open Space:

NO ADVERSE COMMENTS.

NMDOT

Application # ZCSU 20100005 - Any development adjacent to NMDOT facilities (in this case NM 47 - 2nd Street) will have to adhere to NMDOT's State Access Management Manual as it is related to driveway access. The submitted site plan does not adhere to these guidelines and the location of the driveways, as well as any required improvements, should be coordinated with NMDOT.

For 5/5/10

This development is adjacent to NM 47 (2nd Street). Any new access (access permits are not transferrable from owner to owner) will have to be coordinated with NMDOT District 3. The number of driveways accessing the property will be based on the State Access Management Manual. The site plan shows three driveways. I do not believe this site will be eligible for three driveways. It may not even meet the requirements for two driveways. These issues will be discussed with the developer when they contact us.

Middle Rio Grande Conservancy District

No comments received.

APS

ZCSU 20100005 Merritt Acres, Lot C and D, is located at 6320 2nd St NW. The owner of the above property requests a Special Use Permit for a Contractor's Yard that consists of a 3,415 SF office building, a 5,700 SF shop building and 1,078 SF covered storage building. This will have no adverse impacts to the APS district.



PNM

No comments received.

New Mexico Gas

No comments received.

**NEIGHBORHOOD ASSOCIATIONS:**

Merritt Acres Neighborhood Association